

Meeting Date: 4-25-06

Santa Clara



AGENDA REPORT

City of Santa Clara, California

Agenda Item # 5E.3



DATE: April 21, 2006

TO: City Council for Information

FROM: Executive Assistant to the Mayor and Council Offices

SUBJECT: Updated correspondence received regarding proposal to put Binding Arbitration for Public Safety Providers on the November 2006

A total of 19 additional communications from the community have been received in the Mayor & Council Offices from April 12 through April 21, 2006 regarding the proposal to put Binding Arbitration for Public Safety Providers on the November 2006 ballot.

We have received 4 opposing, 13 in favor and 2 with questions during this timeframe.

A handwritten signature in cursive script, reading "Kim Fettahlioglu".

Kim Fettahlioglu
Executive Assistant
Mayor and Council Offices

APPROVED:

A handwritten signature in cursive script, reading "Jennifer Sparacino".

Jennifer Sparacino
City Manager

Documents Related to this Report:
1) *Communications from residents*

From: <BROCHE545@aol.com>
To: <MayorandCouncil@ci.santa-clara.ca.us>
Date: 4/15/06 1:54PM
Subject: Binding arbitration

The "binding arbitration" happening gets two no votes from this household!
The parties involved can go through regular means to put something on the ballot.

Arlene Rusche
Clara Brock

Santa Clara

From: <taskefive@comcast.net>
To: <MayorandCouncil@ci.santa-clara.ca.us >
Date: 4/19/06 10:04AM
Subject: Binding Interest Arbitration - opposed!!!!

To whom it may concern:

I recently received an email asking for my support in gaining Binding Interest Arbitration for Santa Clara firefighters and police officers.

I am completely opposed to transferring responsibilities that we've entrusted to our elected officials to someone who doesn't answer to the people.

On a related note, our city's reserves are shrinking at an alarming rate. This is due in no small part to the expenses for our firefighters and police officers. Please take another look at whether the city is getting enough for what it is paying. Could the same be done by lower priced workers? If thousands of people are applying for a couple of firefighter jobs, it seems to me that we're keeping firefighter salaries artificially high compared to what the market will support.

We just can't afford to continue to pay firefighters and police officers so much better than the private citizens who are paying the bills.

Kind Regards,

Tom White
751 Enright Ave
Santa Clara Ca, 95050
(408) 857-0396

CC: <taskefive@comcast.net>

Dell and Judy Boccignone
3329 Benton Street
Santa Clara, CA 95051

RECEIVED

April 20, 2006

APR 20 2006

OFFICE OF THE MAYOR
CITY OF SANTA CLARA

Honorable Mayor and Council Members:

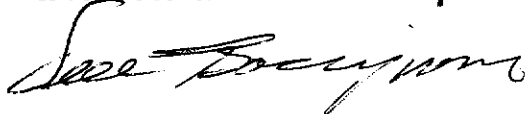
RE: Opposition to the Proposed Binding Interest Arbitration Ballot Measure

We are writing in opposition to the Council putting the Binding Interest Arbitration Ballot Measure on the November ballot. As Council Members you were elected to make decisions that are fiscally responsible and of benefit for the entire City of Santa Clara. You have had a very thorough report listing the many reasons why binding arbitration is not in the best interest of the City of Santa Clara. The Chief of Police and the Fire Chief both stated very clearly their opposition to the issue.


Do **NOT** give up your decision making powers as Council members. The City Charter clearly states these decisions are the responsibility of the City Council - not an outside arbitrator.

At the April 11 Council meeting the Police and Fire unions stated they are prepared to use the Initiative process to put the measure on the ballot. Let **THEM** go out into the community to determine if there is voter interest in this issue. As our elected officials you should not put a proposed major revision to the City Charter on the ballot without a review and recommendation by a citizen Charter Review Committee.

We respectfully request that you end any further discussion of this issue and note and file this request.



Dell Boccignone



Judy Boccignone

From: "tedjo" <tedjo@prodigy.net>
To: "Mayor & Councilpersons of Santa Clara" <Mayorandcouncil@ci.santa-clara.ca.us>
Date: 4/20/06 5:36PM
Subject: Fw: Issue of Binding Arbitration Issue Currently Before the City Council

----- Original Message -----

From: tedjo
To: Mayor & Councilpersons of Santa Clara
Sent: Thursday, April 20, 2006 1:43 PM
Subject: Issue of Binding Arbitration Issue Currently Before the City Council

Dear Madam Mayor and Councilpersons:

I am absolutely opposed to the Council considering a change to the City Charter to accept this proposal as part of the City of Santa Clara's collective bargaining rules.

This issue has come before you previously and it has been handled efficiently and effectively in the past, i.e.: it was denied. The City Management has advised you of the City Charter law which was duly approved by the electorate of our city decades ago. The City Manager, the City Clerk and the City Attorney have gone through the same fruitless exercise again at your insistence. Why do you keep bringing this subject forward from time to time? It is too simple. Just say NO!

This City has a budget that it must live by. The City may not do other than the budget says. There are designated funds in the City Budget committed to payroll issues. The budget was approved by yourselves. You know how much money is there. There is no other way to fund payroll other than that designated for that sole purpose in the current budget. So why do you bring it to this point of discussion? I know in my heart that some of you are influenced by outside interests that want to scuttle the current Charter sections to satisfy friends that may benefit excessively from such additions if Binding Arbitration were allowed. Those special interest individuals (groups?) must be preparing to tie reasonable pay negotiations up and disrupt city services to the extent that, if allowed by a Charter revision, the budget would be discarded in favor of a threat to our city's reasonable operation. Binding Arbitration has no place in our City's life.

So those who support pushing this issue must have already developed a plan to hold the city up and blow the city toward bankruptcy - by law. This must not be tolerated.

We, the PEOPLE OF SANTA CLARA, elected you to uphold the Charter and run a smart city by hiring smart people to do the work. You did this (or your predecessors did) and you seem to continue to support the management and the Charter under which they are bound by law to uphold its principles. SO WHAT'S GOING ON? Do you no longer have confidence in the city management team? If so, what have they done to merit your lack of confidence? Do you think there is some hidden "kitty" they have squirreled away that can miraculously be brought out at the last minute of negotiations and save the budget from disaster? Preposterous! If you think the current city management team is operating ineffectively or unlawfully - fire them!

But, do not destroy our Charter and thereby our City! We do not need to have a referendum on this issue. (More cost that we do not have budgeted.) Do your elected job and deny the petitioners request. That is what you were elected to do. Now DO IT!

Sincerely, Ted Chamberlain, 986 Capitola Way, Santa Clara, CA 95051

CC: "Santa Clara Weekly" <Scweekly@ix.netcom.com>

From: John Combs <tonyc911@yahoo.com>
To: <rdiridon@ci.santa-clara.ca.us>
Date: Thu, Apr 13, 2006 10:26 AM
Subject: Binding Interest Arbitration

I am in favor of binding interest arbitration for police and firefighters. Please urge the city council to vote YES to placing this issue on the November 2006 Ballot.

Thank You,

John Combs

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

From: <Lele842@aol.com>
To: <rdiridon@ci.santa-clara.ca.us>
Date: 4/13/06 4:25PM
Subject: Impartial Arbitration Measure....

Mr. Diridon,

I am sending this email in support of placing the impartial arbitration measure on the November ballot.

Thank you.

Sincerely,

Stacey Combs

CC: <tonyc911@yahoo.com>

From: "Craig Johnson" <gman6@rcn.com>
To: <rdiridon@ci.santa-clara.ca.us>
Date: Thu, Apr 13, 2006 9:38 AM
Subject: Binding Arbitration

Hey Rod,

I'm requesting your support in ensuring the Impartial Arbitration measure is placed on the November ballot and a yes vote on the issue following the discussions. It seems to me that this 'ultimate last resort' will actually provide a safeguard for either/both parties on subject matter which isn't resolved through the normal negotiation process. I can't fathom a logical argument against equity for either side.

Thanks for the support.

Craig Johnson

Station 2A, Truck Captain, SCFD

From: "MARK GAY" <raidermarc@verizon.net>
To: <rdiridon@ci.santa-clara.ca.us>
Date: Thu, Apr 13, 2006 9:05 AM
Subject: Arbitration for Santa Clara Police/Firefighters

Dear Sir, I am emailing you to voice my support for placing the Arbitration issue for Police/Firefighters on the November ballot. I personally am in favor of it as it is my understanding that they are legally prohibited from striking. But it is such an important issue that the residents of Santa Clara should make the final decision. I urge you to place the issue on the ballot. Thank you

From: <VPLocal230@aol.com>
To: <rdiridon@ci.santa-clara.ca.us>
Date: Thu, Apr 13, 2006 9:12 AM
Subject: Re: Police & Fire Arbitration

Dear Honorable Mayor and Council,

Please vote yes on May 9, and show your support for our Police & Firefighters. Voting yes to put Arbitration on the ballot is the right thing to do. Please support our Police Officers and Firefighters in there plight for Fair Treatment. Thank you for your consideration.

Respectfully,
Mark Skeen

From: Mike Cullen <mcullen@happynet.com>
To: <rdiridon@ci.santa-clara.ca.us>
Date: 4/14/06 7:40PM
Subject: Fair Arbitration

Hi Rod increase the count by one more to get binding arbitration on the November ballot. We need this item on the ballot to ensure that the city has to negotiate in good faith. This is the only way that we will ever have a level field with the city. Thanks Rod Mike Cullen 25 year employee of a great city

From: <Advilabuse@aol.com>
To: <rdiridon@ci.santa-clara.ca.us>
Date: 4/15/06 12:18AM
Subject: Yes vote for arbitration

From: "Jim Polizzi" <jim_polizzi@hotmail.com>
To: <rdiridon@ci.santa-clara.ca.us>
Date: 4/13/06 5:10PM
Subject: binding arbitration

Dear Mr. Diridon,

I am writing you to ask for your support in the upcoming binding arbitration measure for Santa Clara's Police and Firefighters. Please help in passing a motion in favor of placing the measure on the November ballot. It's the right thing to do! Thank-You.

Sincerely,
Jim Polizzi

From: Lisa Farmer <lfarmer623@sbcglobal.net>
To: <MayorandCouncil@ci.santa-clara.ca.us>
Date: 4/19/06 10:03AM
Subject: support for my local firefighters and police officers

I support my local Firefighters and Police Officers effort to secure Binding Interest Arbitration, PLEASE
PUT THIS ON THE BALLOT FOR THE NOVEMBER ELECTION.

Lisa Farmer
2268 Laurel Drive
Santa Clara, CA 95050
408-243-8891

Thank you,
Lisa

From: "Mallory von Kugelgen" <ragnvald@pacbell.net>
To: <MayorandCouncil@ci.santa-clara.ca.us>
Date: 4/19/06 10:11AM
Subject: impartial arbitration

Dear Mayor and Council,

I am writing to voice my support of impartial arbitration for our city's fire and police officers. I've lived in Santa Clara for ten years and have had frequent opportunity to observe both departments in action. Our officers are dedicated, professional, compassionate, and extremely devoted to their jobs and their town. I couldn't feel safer, and I wish to support these men and women by requesting that they have the ability to problem solve issues which will arise from time to time.

Thank you,

Mallory von Kugelgen

497 Los Padres Blvd.

Santa Clara, CA 95050

408-985-0493

From: "Carrie Tilney" <catilney@earthlink.net>
To: <MayorandCouncil@ci.santa-clara.ca.us>
Date: 4/19/06 1:47PM
Subject: Binding Interest Arbitration for Firefighters

Dear Mayor and Council members,

I wanted to take a moment to let you know I support my local Firefighters and Police Officers effort to secure Binding Interest Arbitration, PLEASE PUT THIS ON THE BALLOT FOR THE NOVEMBER ELECTION! As a mother of three and an educator in our school district I realize how important it is for our local "heroes" to have a voice in arbitration.

Carrie Tilney
942 Santa Clara St
Santa Clara CA 95050

From: John D Shirey <johndshirey@juno.com>
To: <MayorandCouncil@ci.santa-clara.ca.us>
Date: 4/19/06 3:11PM
Subject: Support of Local Servants

As one who works, lives and plays here in Santa Clara,
I support my local Firefighters and Police Officers
effort to secure Binding Interest Arbitration,
PLEASE PUT THIS ON THE BALLOT FOR THE
NOVEMBER ELECTION. Thank you.

Sincerely,
John Shirey
3066 Ryan Avenue
Santa Clara, 95051

From: "Laura Holmbeck" <lholmbeck@sbcglobal.net>
To: <MayorandCouncil@ci.santa-clara.ca.us>
Date: 4/20/06 2:28PM
Subject: Support for my local Firefighters and Police Officers

I support my local Firefighters and Police Officers effort to secure Binding Interest Arbitration, PLEASE PUT THIS ON THE BALLOT FOR THE NOVEMBER ELECTION".

Laura Holmbeck
3054 Aspen Dr
Santa Clara CA 95051

Thank you very much!

RECEIVED

APR 17 2006

OFFICE OF THE MAYOR
CITY OF SANTA CLARA**RECEIVED**

APR 17 2006

City Clerk's Office
City of Santa Clara

April 17, 2006

Honorable Mayor and City Council

RE: BINDING INTEREST ARBITRATION BALLOT MEASURE

Near the conclusion of the "study session" on agenda item 5B at the Council meeting on April 11, you requested that we submit any questions prior to April 25. These questions would be publicly addressed at the meeting of April 25, prior to the Council voting.

The questions, which I would like publicly answered, are the following:

- (1) Why was there a "study session" in the first place in view of the fact that Mayor Mahan and Councilman Kolstad had already made up their minds to support the binding arbitration measure by signing on March 10, 2006 a "Notice of Intent to Circulate Petition - To Provide impartial impasse resolution procedures"? Shouldn't they be disqualified from further discussion and voting? (Regardless of whether their action is legal or not, it certainly is poor judgment which makes a mockery of the study session process.)
- (2) Why are these City unions so ready to spend large sums of money and bring in outsiders to put this measure on the ballot, especially since their members have some of the best salary and benefit packages in the State?
- (3) How will the position of opposition by City management staff, fire chief and elected police chief be conveyed to citizens should the measure be placed on the ballot? Will they be legally able to help a citizens committee in defeating the measure? Will we see police and fire employees from communities all over the State and Nation contribute money and time to pass this measure? Is this a very level playing field?
- (4) Why is this issue before the City Council again when only on June 29, 2004 it was voted down? What new developments have surfaced since the last public voting?
- (5) Since this is a major and historic change to our City Charter, why is it not submitted to Citizens Charter Review Committee? Wouldn't it be best to get detail citizen review? Is the Council afraid or not interested in the findings of such a Committee?

I respectfully request that these questions be answered in public, prior to you voting to place this measure on the November ballot.

Respectfully,



Bill Gissler
1075 Blossom Drive
Santa Clara, CA 95050

cc: City Clerk, Manager, Attorney, Police Chief, Fire Chief

From: Jashma Kadam
To: Carol McCarthy; Jennifer Sparacino
Date: 4/17/06 3:09PM
Subject: Binding Arbitration - Call from Jerry McKee

Jennifer: Jerry McKee called to ask if there was a comparison done on salaries of fire and police personnel (with five-years of service) with other surrounding cities.

He suggested that for the April 25th Council meeting, the agenda on binding arbitration could include such a matrix.

Thank you.

Jashma

CC: Yvonne Galletta